

# EXHIBIT 5

GENTRY LOCKE  
RAKES & MOORE<sup>LLP</sup>  
*Attorneys*

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Post Office Box 40013

Roanoke, Virginia 24022-0013

May 23, 2014

Brenda S. Hamilton, Clerk  
Roanoke City Circuit Court  
315 West Church Avenue  
Roanoke, Virginia 24011

Re: Sandra F. Artis v. Insight Health Corp., John M. Mathis, M.D., Robert F. O'Brien,  
M.D. and Image Guided Pain Management, P.C.; CL13-1105

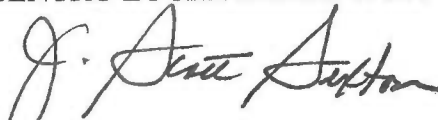
Dear Ms. Hamilton:

Enclosed is a Notice of Presentment of Order and Plaintiff's Status Report for filing in the above-styled matter.

As always, thank you for your assistance. Please do not hesitate to contact me should you have any questions.

Very truly yours,

GENTRY LOCKE RAKES & MOORE, LLP



J. Scott Sexton

JSS:lav

Enclosures

cc: Stephen D. Busch, Esq. (w/encs. – via email & U.S. Mail)  
James F., Neale, Esq. (w/encs. – via email & U.S. Mail)  
John Jessee, Esq. (w/encs. – via email & U.S. Mail)  
Nancy F. Reynolds, Esq. (w/enc. – via email & U.S. Mail)  
Michael P. Gardner, Esq. (w/encs. – via email & U.S. Mail)

**VIRGINIA:**

**IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE**

**SANDRA F. ARTIS**

*Plaintiff,*

**v.**

**INSIGHT HEALTH CORP., *et al.***

**Defendants.**

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**Case No: CL13-1105**

**NOTICE OF PRESENTMENT OF ORDER**

PLEASE TAKE NOTICE that on the 27<sup>th</sup> day of June, 2014, beginning at 2:30 p.m. before the Honorable Charles N. Dorsey, Roanoke City Circuit Court, Courthouse, 315 West Church Avenue, Roanoke, Virginia 24010, plaintiff, by counsel, will present the Order attached hereto to Judge Dorsey and request entry of same.

You must be present if you wish to be heard.

SANDRA F. ARTIS

  
By Counsel

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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[sullivan@gentrylocke.com](mailto:sullivan@gentrylocke.com)

*Counsel for Sandra F. Artis.*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23 day of May, 2014, the foregoing was served via electronic  
and regular mail upon:

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
[sbusch@mcquirewoods.com](mailto:sbusch@mcquirewoods.com)

James F., Neale, Esq.  
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310 Fourth Street, N.E.  
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Charlottesville, VA 22902-1288  
[jneale@mcquirewoods.com](mailto:jneale@mcquirewoods.com)

Counsel for Defendant Insight Health Corp.

John Jessee, Esq.  
Nancy F. Reynolds, Esq.  
Michael P. Gardner, Esq.  
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[michael.gardner@leclairryan.com](mailto:michael.gardner@leclairryan.com)

Counsel for the defendants Image Guided Pain Management,  
John Mathis, M.D., and Robert O'Brien, M.D.

  
By Counsel

**VIRGINIA:**

**IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE**

**SANDRA F. ARTIS**

*Plaintiff,*

**v.**

**INSIGHT HEALTH CORP., et al.**

**Defendants.**

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**Case No: CL13-1105**

**ORDER**

Upon Motion, argument of counsel, and consideration of the pleadings and arguments before the Court, all of which is more particularly set forth and the Court's letter opinion of October 31, 2013 in the case of *Sharon G. Wingate, Executor of the Estate of Douglas Gray Wingate, deceased v. Insight Health Corp., John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain Management, P.C.*, the contents of which are incorporated herein as applicable, the Court makes the following rulings:

1. Defendant Insight Health Corporation's demurrers to all plaintiff's claims and causes of action except the fraud claim (Count V) are **OVERRULED**;
2. The demurrers filed by defendants John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain, P.C. (collectively the IGP defendants) to all plaintiff's claims and causes of action except for the fraud claim (Count V) are **OVERRULED**;
3. Insight Health Corporation's and the IGPM defendants' demurrers to plaintiff's fraud claim (Count V) are **SUSTAINED** on the grounds of specificity set forth in the Court's letter opinion, and plaintiff is granted leave to amend her Complaint within 21 days of entry of this order.

The Clerk is directed to send certified copies of this Order to all counsel of record.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

Honorable Charles M. Dorsey

SEEN AND OBJECTED TO IN PART:



---

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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smith@gentrylocke.com  
gibson@gentrylocke.com  
byrd@gentrylocke.com  
sullivan@gentrylocke.com

*Counsel for Plaintiff Sandra F. Artis*

SEEN AND \_\_\_\_\_:

---

John Jessee, Esq. (VSB No. 18745)  
Nancy F. Reynolds, Esq. (VSB No. 38236)  
1800 Wells Fargo Tower  
Drawer 1200  
Roanoke, Virginia 24006  
john.jessee@leclairryan.com  
nancy.reynolds@leclairryan.com  
*Counsel for Defendants Image Guided Pain Management,  
John Mathis, M.D. and Robert F. O'Brien, M.D.*

SEEN AND \_\_\_\_\_:

---

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
sbusch@mcguirewoods.com

James F. Neale, Esq.  
McGuire Woods, LLP  
Court Square Building  
310 Fourth Street, N.E.  
Suite 300  
Charlottesville, VA 22902  
jneale@mcguirewoods.com  
*Counsel for Defendant Insight Health Corp.*

GENTRY LOCKE  
RAKES & MOORE<sup>LLP</sup>  
*Attorneys*

J. Scott Sexton  
(540) 983-9379  
sexton@gentrylocke.com

Facsimile 540-983-9400  
Post Office Box 40013  
Roanoke, Virginia 24022-0013

May 23, 2014

Brenda S. Hamilton, Clerk  
Roanoke City Circuit Court  
315 West Church Avenue  
Roanoke, Virginia 24011

Re: Robert Dana Bender, Executor of the Estate of Ralph James Irace, Jr., deceased v. v.  
Insight Health Corp., John M. Mathis, M.D., Robert F. O'Brien, M.D. and Image  
Guided Pain Management, P.C.

Dear Ms. Hamilton:

Enclosed is a Notice of Presentment of Order and Plaintiff's Status Report for filing in the above-styled matter.

As always, thank you for your assistance. Please do not hesitate to contact me should you have any questions.

Very truly yours,

GENTRY LOCKE RAKES & MOORE, LLP



J. Scott Sexton

JSS:lav

Enclosures

cc: Stephen D. Busch, Esq. (w/encs. – via email & U.S. Mail)  
James F., Neale, Esq. (w/encs. – via email & U.S. Mail)  
John Jessee, Esq. (w/encs. – via email & U.S. Mail)  
Nancy F. Reynolds, Esq. (w/enc. – via email & U.S. Mail)  
Michael P. Gardner, Esq. (w/encs. – via email & U.S. Mail)



VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

ROBERT DANA BENDER, Executor,  
of the Estate of Ralph James Irace, deceased,  
  
*Plaintiff,*  
  
v.  
  
INSIGHT HEALTH CORP., *et al.*,  
  
*Defendants.*

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Case No: CL13000577-00

NOTICE OF PRESENTMENT OF ORDER

PLEASE TAKE NOTICE that on the 27<sup>th</sup> day of June, 2014, beginning at 2:30 p.m. before the Honorable Charles N. Dorsey, Roanoke City Circuit Court, Courthouse, 315 West Church Avenue, Roanoke, Virginia 24010, plaintiff, by counsel, will present the Order attached hereto to Judge Dorsey and request entry of same.

You must be present if you wish to be heard.

ROBERT DANA BENDER, EXECUTOR OF THE  
ESTATE OF RALPH JAMES IRACE,  
DECEASED

  
By Counsel

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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P. O. Box 40013  
Roanoke, Virginia 24022-0013  
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[russell@gentrylocke.com](mailto:russell@gentrylocke.com)  
[smith@gentrylocke.com](mailto:smith@gentrylocke.com)  
[gibson@gentrylocke.com](mailto:gibson@gentrylocke.com)  
[byrd@gentrylocke.com](mailto:byrd@gentrylocke.com)  
[sullivan@gentrylocke.com](mailto:sullivan@gentrylocke.com)

*Counsel for Robert Dana Bender, Executor of the Estate of Ralph James Irace, deceased*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23 day of May, 2014, the foregoing was served via electronic and regular mail upon:

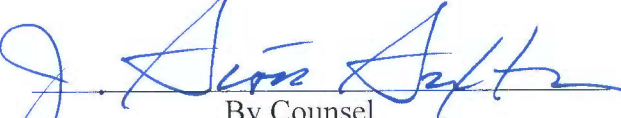
Stephen D. Busch, Esq.  
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[jneale@mcquirewoods.com](mailto:jneale@mcquirewoods.com)

Counsel for Defendant Insight Health Corp.

John Jessee, Esq.  
Nancy F. Reynolds, Esq.  
Michael P. Gardner, Esq.  
1800 Wells Fargo Tower  
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[nancy.reynolds@leclairryan.com](mailto:nancy.reynolds@leclairryan.com)  
[michael.gardner@leclairryan.com](mailto:michael.gardner@leclairryan.com)

Counsel for the defendants Image Guided Pain Management,  
John Mathis, M.D., and Robert O'Brien, M.D.

  
By Counsel



The Clerk is directed to send certified copies of this Order to all counsel of record.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

Honorable Charles M. Dorsey

SEEN AND OBJECTED TO IN PART:

  
J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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smith@gentrylocke.com  
gibson@gentrylocke.com  
byrd@gentrylocke.com  
sullivan@gentrylocke.com

*Counsel for Plaintiff Robert Dana Bender, Executor of the Estate of Ralph James Irace, Jr., deceased.*

SEEN AND \_\_\_\_\_:

---

John Jessee, Esq. (VSB No. 18745)  
Nancy F. Reynolds, Esq. (VSB No. 38236)  
1800 Wells Fargo Tower  
Drawer 1200  
Roanoke, Virginia 24006  
john.jessee@leclairryan.com  
nancy.reynolds@leclairryan.com  
*Counsel for Defendants Image Guided Pain Management,  
John Mathis, M.D. and Robert F. O'Brien, M.D.*

SEEN AND \_\_\_\_\_:

---

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
sbusch@mcguirewoods.com

James F. Neale, Esq.  
McGuire Woods, LLP  
Court Square Building  
310 Fourth Street, N.E.  
Suite 300  
Charlottesville, VA 22902  
jneale@mcguirewoods.com  
*Counsel for Defendant Insight Health Corp.*

GENTRY LOCKE  
RAKES & MOORE<sup>LLP</sup>  
Attorneys

J. Scott Sexton  
(540) 983-9379  
sexton@gentrylocke.com

Facsimile 540-983-9400  
Post Office Box 40013  
Roanoke, Virginia 24022-0013

May 23, 2014

Brenda S. Hamilton, Clerk  
Roanoke City Circuit Court  
315 West Church Avenue  
Roanoke, Virginia 24011

Re: Dana Marlene Bradley v. Insight Health Corp., *et al.*; CL12002576-00

Dear Ms. Hamilton:

Enclosed is a Notice of Presentment of Order and Plaintiff's Status Report for filing in the above-styled matter.

As always, thank you for your assistance. Please do not hesitate to contact me should you have any questions.

Very truly yours,

GENTRY LOCKE RAKES & MOORE, LLP



J. Scott Sexton

JSS:lav

Enclosures

cc: Stephen D. Busch, Esq. (w/encs. – via email & U.S. Mail)  
James F., Neale, Esq. (w/encs. – via email & U.S. Mail)  
John Jessee, Esq. (w/encs. – via email & U.S. Mail)  
Nancy F. Reynolds, Esq. (w/enc. – via email & U.S. Mail)  
Michael P. Gardner, Esq. (w/encs. – via email & U.S. Mail)

**VIRGINIA:**

**IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE**

**DANA MARLENE BRADLEY,**

*Plaintiff,*

**v.**

**INSIGHT HEALTH CORP., et al.,**

**Defendants.**

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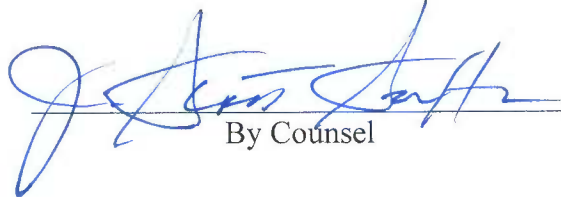
**Case No: CL12002576-00**

**NOTICE OF PRESENTMENT OF ORDER**

PLEASE TAKE NOTICE that on the 27<sup>th</sup> day of June, 2014, beginning at 2:30 p.m. before the Honorable Charles N. Dorsey, Roanoke City Circuit Court, Courthouse, 315 West Church Avenue, Roanoke, Virginia 24010, plaintiff, by counsel, will present the Order attached hereto to Judge Dorsey and request entry of same.

You must be present if you wish to be heard.

DANA MARLENE BRADLEY

  
By Counsel

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
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[sullivan@gentrylocke.com](mailto:sullivan@gentrylocke.com)

*Counsel for Dana Marlene Bradley*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 29<sup>th</sup> day of May, 2014, the foregoing was served via electronic and regular mail upon:


Stephen D. Busch, Esq.  
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901 E. Cary Street  
Richmond, VA 23219  
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Counsel for Defendant Insight Health Corp.

John Jessee, Esq.  
Nancy F. Reynolds, Esq.  
Michael P. Gardner, Esq.  
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Roanoke, Virginia 24006  
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[nancy.reynolds@leclairryan.com](mailto:nancy.reynolds@leclairryan.com)  
[michael.gardner@leclairryan.com](mailto:michael.gardner@leclairryan.com)

Counsel for the defendants Image Guided Pain Management,  
John Mathis, M.D., and Robert O'Brien, M.D.

  
By Counsel

**VIRGINIA:**

**IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE**

**DANA MARLENE BRADLEY,**

*Plaintiff,*

**v.**

**INSIGHT HEALTH CORP., *et al.*,**

**Defendants.**

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**Case No: CL12-2576**

**ORDER**

Upon Motion, argument of counsel, and consideration of the pleadings and arguments before the Court, all of which is more particularly set forth and the Court's letter opinion of October 31, 2013 in the case of *Sharon G. Wingate, Executor of the Estate of Douglas Gray Wingate, deceased v. Insight Health Corp., John M. Mathis, M.D., and Image Guided Pain Management, P.C.*, the contents of which are incorporated herein as applicable, the Court makes the following rulings:

1. Defendant Insight Health Corporation's demurrers to all plaintiff's claims and causes of action except the fraud claim (Count V) are **OVERRULED**;
2. The demurrers filed by defendants John M. Mathis, M.D., and Image Guided Pain, P.C. (collectively the IGPM defendants) to all plaintiff's claims and causes of action except for the fraud claim (Count V) are **OVERRULED**;
3. Insight Health Corporation and the IGPM defendants demurrers to plaintiff's fraud claim (Count V) are **SUSTAINED** on the grounds of specificity set forth in the Court's letter opinion, and plaintiff is granted leave to amend her Complaint within 21 days of entry of this order; and

4. Insight Health Corporation's Motion to Amend its Responses to Request for Admissions Related to Health Care Provider Status as defined under Va. Code Section 8.01-581.1 is DENIED.

The Clerk is directed to send certified copies of this Order to all counsel of record.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

The Honorable Charles M. Dorsey

SEEN AND OBJECTED TO IN PART:



J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
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sullivan@gentrylocke.com

*Counsel for Plaintiff Dana Marlene Bradley*

SEEN AND \_\_\_\_\_:

---

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Nancy F. Reynolds, Esq. (VSB No. 38236)  
1800 Wells Fargo Tower  
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Roanoke, Virginia 24006  
john.jessee@leclairryan.com  
nancy.reynolds@leclairryan.com

*Counsel for Defendants Image Guided Pain Management and  
John Mathis, M.D.*

SEEN AND \_\_\_\_\_:

---

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
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Charlottesville, VA 22902  
jneale@mcguirewoods.com

*Counsel for Defendant Insight Health Corp.*

GENTRY LOCKE  
RAKES & MOORE<sup>LLP</sup>  
*Attorneys*

J. Scott Sexton

(540) 983-9379

sexton@gentrylocke.com

Facsimile 540-983-9400

Post Office Box 40013

Roanoke, Virginia 24022-0013

May 23, 2014

Brenda S. Hamilton, Clerk  
Roanoke City Circuit Court  
315 West Church Avenue  
Roanoke, Virginia 24011

Re: Patricia S. Brown, John D. Spicer, and Jenae S. Patsell, Executors of the Estate of  
Louise B. Spicer, Deceased v. Insight Health Corp., John M. Mathis, M.D.,  
Robert F. O'Brien, M.D. and Image Guided Pain Management, P.C.;  
CL13000607-00

Dear Ms. Hamilton:

Enclosed is a Notice of Presentment of Order and Plaintiff's Status Report for filing in the  
above-styled matter.

As always, thank you for your assistance. Please do not hesitate to contact me should you have  
any questions.

Very truly yours,

GENTRY LOCKE RAKES & MOORE, LLP



J. Scott Sexton

JSS:lav

Enclosures

cc: Stephen D. Busch, Esq. (w/encs. – via email & U.S. Mail)  
James F., Neale, Esq. (w/encs. – via email & U.S. Mail)  
John Jessee, Esq. (w/encs. – via email & U.S. Mail)  
Nancy F. Reynolds, Esq. (w/enc. – via email & U.S. Mail)  
Michael P. Gardner, Esq. (w/encs. – via email & U.S. Mail)

**VIRGINIA:**

**IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE**

**PATRICIA S. BROWN, JOHN D. SPICER, )  
AND JENAE S. PATSELL, EXECUTORS )  
OF THE ESTATE OF LOUISE B. SPICER, )  
DECEASED, )**

**Plaintiffs, )**

**v. )**

**Case No. CL13000607-00**

**INSIGHT HEALTH CORP., *et al.*, )**

**Defendants. )**

**NOTICE OF PRESENTMENT OF ORDER**

PLEASE TAKE NOTICE that on the 27<sup>th</sup> day of June, 2014, beginning at 2:30 p.m. before the Honorable Charles N. Dorsey, Roanoke City Circuit Court, Courthouse, 315 West Church Avenue, Roanoke, Virginia 24010, plaintiff, by counsel, will present the Order attached hereto to Judge Dorsey and request entry of same.

You must be present if you wish to be heard.

PATRICIA S. BROWN, JOHN D. SPICER, AND  
JENAE S. PATSELL, EXECUTORS OF THE  
ESTATE OF LOUISE B. SPICER, DECEASED

  
By Counsel

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
GENTRY LOCKE RAKES & MOORE, LLP  
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[gibson@gentrylocke.com](mailto:gibson@gentrylocke.com)  
[byrd@gentrylocke.com](mailto:byrd@gentrylocke.com)  
[sullivan@gentrylocke.com](mailto:sullivan@gentrylocke.com)

*Counsel for Patricia S. Brown, John D. Spicer  
and Jenae S. Patsell, Executors of the Estate of Louise B. Spicer, Deceased*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23 day of May, 2014, the foregoing was served via electronic

and regular mail upon:

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
[sbusch@mcquirewoods.com](mailto:sbusch@mcquirewoods.com)


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Suite 300  
Charlottesville, VA 22902-1288  
[jneale@mcguirewoods.com](mailto:jneale@mcguirewoods.com)

Counsel for Defendant Insight Health Corp.

John Jessee, Esq.  
Nancy F. Reynolds, Esq.  
Michael P. Gardner, Esq.  
1800 Wells Fargo Tower  
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Roanoke, Virginia 24006  
[john.jessee@leclairryan.com](mailto:john.jessee@leclairryan.com)  
[nancy.reynolds@leclairryan.com](mailto:nancy.reynolds@leclairryan.com)  
[michael.gardner@leclairryan.com](mailto:michael.gardner@leclairryan.com)

Counsel for the defendants Image Guided Pain Management,

John Mathis, M.D., and Robert O'Brien, M.D.

  
By Counsel






The Clerk is directed to send certified copies of this Order to all counsel of record.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

Honorable Charles M. Dorsey

SEEN AND OBJECTED TO IN PART:

  
J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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russell@gentrylocke.com  
smith@gentrylocke.com  
gibson@gentrylocke.com  
byrd@gentrylocke.com  
sullivan@gentrylocke.com

*Counsel for Plaintiff Patricia S. Brown, John D. Spicer, and Janae S. Patsell,  
Executors of the Estate of Louise B. Spicer, deceased*

SEEN AND \_\_\_\_\_:

---

John Jessee, Esq. (VSB No. 18745)  
Nancy F. Reynolds, Esq. (VSB No. 38236)  
1800 Wells Fargo Tower  
Drawer 1200  
Roanoke, Virginia 24006  
john.jessee@leclairryan.com  
nancy.reynolds@leclairryan.com  
*Counsel for Defendants Image Guided Pain Management,  
John Mathis, M.D. and Robert F. O'Brien, M.D.*

SEEN AND \_\_\_\_\_:

---

Stephen D. Busch, Esq.  
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310 Fourth Street, N.E.  
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Charlottesville, VA 22902  
jneale@mcguirewoods.com  
*Counsel for Defendant Insight Health Corp.*

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

RONNIE A. BROWN,

*Plaintiff,*

v.

INSIGHT HEALTH CORP., *et al.*,

*Defendants.*

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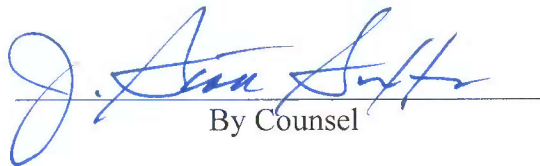
Case No: CL13000538-00

**NOTICE OF PRESENTMENT OF ORDER**

PLEASE TAKE NOTICE that on the 27<sup>th</sup> day of June, 2014, beginning at 2:30 p.m. before the Honorable Charles N. Dorsey, Roanoke City Circuit Court, Courthouse, 315 West Church Avenue, Roanoke, Virginia 24010, plaintiff, by counsel, will present the Order attached hereto to Judge Dorsey and request entry of same.

You must be present if you wish to be heard.

RONNIE A. BROWN

  
By Counsel

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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[gibson@gentrylocke.com](mailto:gibson@gentrylocke.com)  
[byrd@gentrylocke.com](mailto:byrd@gentrylocke.com)  
[sullivan@gentrylocke.com](mailto:sullivan@gentrylocke.com)

*Counsel for Ronnie A. Brown*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23<sup>rd</sup> day of May, 2014, the foregoing was served via electronic and regular mail upon:

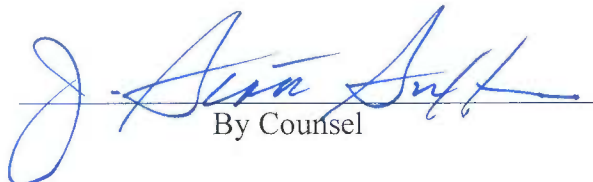
Stephen D. Busch, Esq.  
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[jneale@mcquirewoods.com](mailto:jneale@mcquirewoods.com)

Counsel for Defendant Insight Health Corp.

John Jessee, Esq.  
Nancy F. Reynolds, Esq.  
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[nancy.reynolds@leclairryan.com](mailto:nancy.reynolds@leclairryan.com)  
[michael.gardner@leclairryan.com](mailto:michael.gardner@leclairryan.com)

Counsel for the defendants Image Guided Pain Management,  
John Mathis, M.D., and Robert O'Brien, M.D.

  
By Counsel

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

RONNIE A. BROWN

*Plaintiff,*

v.

INSIGHT HEALTH CORP., *et al.*

*Defendants.*

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Case No: CL13-538

**ORDER**

Upon Motion, argument of counsel, and consideration of the pleadings and arguments before the Court, all of which is more particularly set forth and the Court's letter opinion of October 31, 2013 in the case of *Sharon G. Wingate, Executor of the Estate of Douglas Gray Wingate, deceased v. Insight Health Corp., John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain Management, P.C.*, the contents of which are incorporated herein as applicable, the Court makes the following rulings:

1. Defendant Insight Health Corporation's demurrers to all plaintiff's claims and causes of action except the fraud claim (Count V) are OVERRULED;
2. The demurrers filed by defendants John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain, P.C. (collectively the IGP defendants) to all plaintiff's claims and causes of action except for the fraud claim (Count V) are OVERRULED;
3. Insight Health Corporation's and the IGPM defendants' demurrers to plaintiff's fraud claim (Count V) are SUSTAINED on the grounds of specificity set forth in the Court's letter opinion, and plaintiff is granted leave to amend his Complaint within 21 days of entry of this order.

The Clerk is directed to send certified copies of this Order to all counsel of record.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

Honorable Charles M. Dorsey

SEEN AND OBJECTED TO IN PART:



J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
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gibson@gentrylocke.com  
byrd@gentrylocke.com  
sullivan@gentrylocke.com

*Counsel for Plaintiff Ronnie A. Brown*

SEEN AND \_\_\_\_\_:

---

John Jessee, Esq. (VSB No. 18745)  
Nancy F. Reynolds, Esq. (VSB No. 38236)  
1800 Wells Fargo Tower  
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Roanoke, Virginia 24006  
john.jessee@leclairryan.com  
nancy.reynolds@leclairryan.com  
*Counsel for Defendants Image Guided Pain Management,  
John Mathis, M.D. and Robert F. O'Brien, M.D.*

SEEN AND \_\_\_\_\_:

---

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
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sbusch@mcguirewoods.com

James F. Neale, Esq.  
McGuire Woods, LLP  
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Suite 300  
Charlottesville, VA 22902  
jneale@mcguirewoods.com  
*Counsel for Defendant Insight Health Corp.*



GENTRY LOCKE  
RAKES & MOORE<sup>LLP</sup>  
*Attorneys*

J. Scott Sexton

(540) 983-9379

sexton@gentrylocke.com

Facsimile 540-983-9400

Post Office Box 40013

Roanoke, Virginia 24022-0013

May 23, 2014

Brenda S. Hamilton, Clerk  
Roanoke City Circuit Court  
315 West Church Avenue  
Roanoke, Virginia 24011

Re: Ronnie A. Brown v. Insight Health Corp., John M. Mathis, M.D., Robert F.  
O'Brien and Image Guided Pain Management, P.C.

Dear Ms. Hamilton:

Enclosed is a Notice of Presentment of Order and Plaintiff's Status Report for filing in the above-styled matter.

As always, thank you for your assistance. Please do not hesitate to contact me should you have any questions.

Very truly yours,

GENTRY LOCKE RAKES & MOORE, LLP



J. Scott Sexton

JSS:lav

Enclosures

cc: Stephen D. Busch, Esq. (w/encs. – via email & U.S. Mail)  
James F., Neale, Esq. (w/encs. – via email & U.S. Mail)  
John Jessee, Esq. (w/encs. – via email & U.S. Mail)  
Nancy F. Reynolds, Esq. (w/enc. – via email & U.S. Mail)  
Michael P. Gardner, Esq. (w/encs. – via email & U.S. Mail)

GENTRY LOCKE  
RAKES & MOORE<sup>LLP</sup>  
*Attorneys*

J. Scott Sexton

(540) 983-9379

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Facsimile 540-983-9400

Post Office Box 40013

Roanoke, Virginia 24022-0013

May 23, 2014

Brenda S. Hamilton, Clerk  
Roanoke City Circuit Court  
315 West Church Avenue  
Roanoke, Virginia 24011

Re: Ronald T. Courtney v. Insight Health Corp., John M. Mathis, M.D. and Image  
Guided Pain Management, P.C.

Dear Ms. Hamilton:

Enclosed is a Notice of Presentment of Order and Plaintiff's Status Report for filing in the  
above-styled matter.

As always, thank you for your assistance. Please do not hesitate to contact me should you  
have any questions.

Very truly yours,

GENTRY LOCKE RAKES & MOORE, LLP



J. Scott Sexton

JSS:lav

Enclosures

cc: Stephen D. Busch, Esq. (w/encs. – via email & U.S. Mail)  
James F., Neale, Esq. (w/encs. – via email & U.S. Mail)  
John Jessee, Esq. (w/encs. – via email & U.S. Mail)  
Nancy F. Reynolds, Esq. (w/enc. – via email & U.S. Mail)  
Michael P. Gardner, Esq. (w/encs. – via email & U.S. Mail)

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

RONALD T. COURTNEY,

*Plaintiff,*

v.

INSIGHT HEALTH CORP., *et al.*,

*Defendants.*

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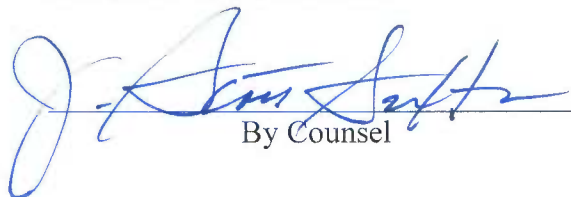
Case No: CL13000417-00

**NOTICE OF PRESENTMENT OF ORDER**

PLEASE TAKE NOTICE that on the 27<sup>th</sup> day of June, 2014, beginning at 2:30 p.m. before the Honorable Charles N. Dorsey, Roanoke City Circuit Court, Courthouse, 315 West Church Avenue, Roanoke, Virginia 24010, plaintiff, by counsel, will present the Order attached hereto to Judge Dorsey and request entry of same.

You must be present if you wish to be heard.

RONALD T. COURTNEY

  
By Counsel

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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[byrd@gentrylocke.com](mailto:byrd@gentrylocke.com)  
[sullivan@gentrylocke.com](mailto:sullivan@gentrylocke.com)

*Counsel for Ronald T. Courtney*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23 day of May, 2014, the foregoing was served via electronic  
and regular mail upon:

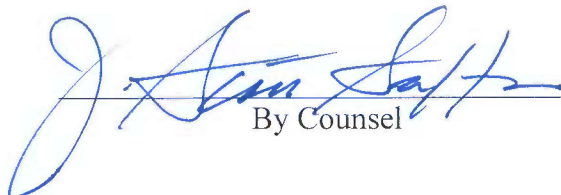
Stephen D. Busch, Esq.  
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[sbusch@mcquirewoods.com](mailto:sbusch@mcquirewoods.com)

James F., Neale, Esq.  
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Court Square Building  
310 Fourth Street, N.E.  
Suite 300  
Charlottesville, VA 22902-1288  
[jneale@mcguirewoods.com](mailto:jneale@mcguirewoods.com)

Counsel for Defendant Insight Health Corp.

John Jessee, Esq.  
Nancy F. Reynolds, Esq.  
Michael P. Gardner, Esq.  
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Drawer 1200  
Roanoke, Virginia 24006  
[john.jessee@leclairryan.com](mailto:john.jessee@leclairryan.com)  
[nancy.reynolds@leclairryan.com](mailto:nancy.reynolds@leclairryan.com)  
[michael.gardner@leclairryan.com](mailto:michael.gardner@leclairryan.com)

Counsel for the defendants Image Guided Pain Management,  
John Mathis, M.D., and Robert O'Brien, M.D.

  
By Counsel

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

RONALD R. COURTNEY

*Plaintiff,*

v.

INSIGHT HEALTH CORP., *et al.*

*Defendants.*

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Case No: CL13-417

ORDER

Upon Motion, argument of counsel, and consideration of the pleadings and arguments before the Court, all of which is more particularly set forth and the Court's letter opinion of October 31, 2013 in the case of *Sharon G. Wingate, Executor of the Estate of Douglas Gray Wingate, deceased v. Insight Health Corp., John M. Mathis, M.D., and Image Guided Pain Management, P.C.*, the contents of which are incorporated herein as applicable, the Court makes the following rulings:

1. Defendant Insight Health Corporation's demurrers to all plaintiff's claims and causes of action except the fraud claim (Count V) are OVERRULED;
2. The demurrers filed by defendants John M. Mathis, M.D., M.D., and Image Guided Pain, P.C. (collectively the IGP defendants) to all plaintiff's claims and causes of action except for the fraud claim (Count V) are OVERRULED;
3. Insight Health Corporation's and the IGPM defendants' demurrers to plaintiff's fraud claim (Count V) are SUSTAINED on the grounds of specificity set forth in the Court's letter opinion, and plaintiff is granted leave to amend his Complaint within 21 days of entry of this order.

The Clerk is directed to send certified copies of this Order to all counsel of record.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

Honorable Charles M. Dorsey

SEEN AND OBJECTED TO IN PART:



J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
GENTRY LOCKE RAKES & MOORE, LLP  
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smith@gentrylocke.com  
gibson@gentrylocke.com  
byrd@gentrylocke.com  
sullivan@gentrylocke.com

*Counsel for Plaintiff Ronald R. Courtney*

SEEN AND \_\_\_\_\_:

---

John Jessee, Esq. (VSB No. 18745)  
Nancy F. Reynolds, Esq. (VSB No. 38236)  
1800 Wells Fargo Tower  
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john.jessee@leclairryan.com  
nancy.reynolds@leclairryan.com  
*Counsel for Defendants Image Guided Pain Management,  
John Mathis, M.D. and Robert F. O'Brien, M.D.*

SEEN AND \_\_\_\_\_:

---

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
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Richmond, VA 23219  
sbusch@mcguirewoods.com

James F. Neale, Esq.  
McGuire Woods, LLP  
Court Square Building  
310 Fourth Street, N.E.  
Suite 300  
Charlottesville, VA 22902  
jneale@mcguirewoods.com  
*Counsel for Defendant Insight Health Corp.*



GENTRY LOCKE  
RAKES & MOORE<sup>LLP</sup>  
*Attorneys*

J. Scott Sexton  
(540) 983-9379  
sexton@gentrylocke.com

Facsimile 540-983-9400  
Post Office Box 40013  
Roanoke, Virginia 24022-0013

May 23, 2014

Brenda S. Hamilton, Clerk  
Roanoke City Circuit Court  
315 West Church Avenue  
Roanoke, Virginia 24011

Re: Trudy R. Epperly v. Insight Health Corp., John M. Mathis, M.D., Robert F.  
O'Brien, M.D. and Image Guided Pain Management, P.C.

Dear Ms. Hamilton:

Enclosed is a Notice of Presentment of Order and Plaintiff's Status Report for filing in the above-styled matter.

As always, thank you for your assistance. Please do not hesitate to contact me should you have any questions.

Very truly yours,

GENTRY LOCKE RAKES & MOORE, LLP



J. Scott Sexton

JSS:lav

Enclosures

cc: Stephen D. Busch, Esq. (w/encs. – via email & U.S. Mail)  
James F., Neale, Esq. (w/encs. – via email & U.S. Mail)  
John Jessee, Esq. (w/encs. – via email & U.S. Mail)  
Nancy F. Reynolds, Esq. (w/enc. – via email & U.S. Mail)  
Michael P. Gardner, Esq. (w/encs. – via email & U.S. Mail)



VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

TRUDY R. EPPERLY,

*Plaintiff,*

v.

INSIGHT HEALTH CORP., *et al.*,

*Defendants.*

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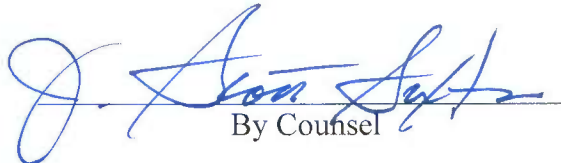
Case No: CL12002571-00

**NOTICE OF PRESENTMENT OF ORDER**

PLEASE TAKE NOTICE that on the 27<sup>th</sup> day of June, 2014, beginning at 2:30 p.m. before the Honorable Charles N. Dorsey, Roanoke City Circuit Court, Courthouse, 315 West Church Avenue, Roanoke, Virginia 24010, plaintiff, by counsel, will present the Order attached hereto to Judge Dorsey and request entry of same.

You must be present if you wish to be heard.

TRUDY R. EPPERLY

  
By Counsel

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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[smith@gentrylocke.com](mailto:smith@gentrylocke.com)

[gibson@gentrylocke.com](mailto:gibson@gentrylocke.com)  
[byrd@gentrylocke.com](mailto:byrd@gentrylocke.com)  
[sullivan@gentrylocke.com](mailto:sullivan@gentrylocke.com)

*Counsel for Trudy R. Epperly*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23 day of May, 2014, the foregoing was served via electronic and regular mail upon:

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
[sbusch@mcquirewoods.com](mailto:sbusch@mcquirewoods.com)

James F., Neale, Esq.  
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Counsel for Defendant Insight Health Corp.

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[michael.gardner@leclairryan.com](mailto:michael.gardner@leclairryan.com)

Counsel for the defendants Image Guided Pain Management,  
John Mathis, M.D., and Robert O'Brien, M.D.

  
By Counsel

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

TRUDY R. EPPERLY,

*Plaintiff,*

v.

INSIGHT HEALTH CORP., *et al.*,

**Defendants.**

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**Case No: CL12-2571**

**ORDER**

Upon Motion, argument of counsel, and consideration of the pleadings and arguments before the Court, all of which is more particularly set forth and the Court's letter opinion of October 31, 2013 in the case of *Sharon G. Wingate, Executor of the Estate of Douglas Gray Wingate, deceased v. Insight Health Corp., John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain Management, P.C.*, the contents of which are incorporated herein as applicable, the Court makes the following rulings:

1. Defendant Insight Health Corporation's demurrers to all plaintiff's claims and causes of action except the fraud claim (Count V) are OVERRULED;
2. The demurrers filed by defendants John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain, P.C. (collectively the IGPM defendants) to all plaintiff's claims and causes of action except for the fraud claim (Count V) are OVERRULED;
3. Insight Health Corporation and the IGPM defendants demurrers to plaintiff's fraud claim (Count V) are SUSTAINED on the grounds of specificity set forth in the Court's letter opinion, and plaintiff is granted leave to amend her Complaint within 21 days of entry of this order; and

4. Insight Health Corporation's Motion to Amend its Responses to Request for Admissions Related to Health Care Provider Status as defined under Va. Code Section 8.01-581.1 is DENIED.

The Clerk is directed to send certified copies of this Order to all counsel of record.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

The Honorable Charles M. Dorsey

SEEN AND OBJECTED TO IN PART:



J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
GENTRY LOCKE RAKES & MOORE, LLP  
10 Franklin Road, S.E., Suite 800  
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(540) 983-9300  
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sexton@gentrylocke.com  
russell@gentrylocke.com  
smith@gentrylocke.com  
gibson@gentrylocke.com  
byrd@gentrylocke.com  
sullivan@gentrylocke.com

*Counsel for Plaintiff Trudy R. Epperly*

SEEN AND \_\_\_\_\_:

---

John Jessee, Esq. (VSB No. 18745)  
Nancy F. Reynolds, Esq. (VSB No. 38236)  
1800 Wells Fargo Tower  
Drawer 1200  
Roanoke, Virginia 24006  
john.jessee@leclairryan.com  
nancy.reynolds@leclairryan.com

*Counsel for Defendants Image Guided Pain Management and  
John Mathis, M.D.*

SEEN AND \_\_\_\_\_:

---

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
sbusch@mcguirewoods.com

James F. Neale, Esq.  
McGuire Woods, LLP  
Court Square Building  
310 Fourth Street, N.E.  
Suite 300  
Charlottesville, VA 22902  
jneale@mcguirewoods.com

*Counsel for Defendant Insight Health Corp.*

GENTRY LOCKE  
RAKES & MOORE<sup>LLP</sup>  
*Attorneys*

J. Scott Sexton

(540) 983-9379

sexton@gentrylocke.com

Facsimile 540-983-9400

Post Office Box 40013

Roanoke, Virginia 24022-0013

May 23, 2014

Brenda S. Hamilton, Clerk  
Roanoke City Circuit Court  
315 West Church Avenue  
Roanoke, Virginia 24011

Re: Barbara J. Filson v. Insight Health Corp., John M. Mathis, M.D., Robert F.  
O'Brien, M.D. and Image Guided Pain Management, P.C.

Dear Ms. Hamilton:

Enclosed is a Notice of Presentment of Order and Plaintiff's Status Report for filing in the above-styled matter.

As always, thank you for your assistance. Please do not hesitate to contact me should you have any questions.

Very truly yours,

GENTRY LOCKE RAKES & MOORE, LLP



J. Scott Sexton

JSS:lav

Enclosures

cc: Stephen D. Busch, Esq. (w/encs. – via email & U.S. Mail)  
James F., Neale, Esq. (w/encs. – via email & U.S. Mail)  
John Jessee, Esq. (w/encs. – via email & U.S. Mail)  
Nancy F. Reynolds, Esq. (w/enc. – via email & U.S. Mail)  
Michael P. Gardner, Esq. (w/encs. – via email & U.S. Mail)

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

BARBARA J. FILSON,

*Plaintiff,*

v.

INSIGHT HEALTH CORP., *et al.*,

*Defendants.*

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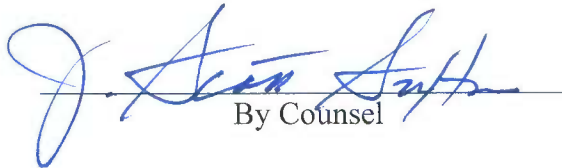
Case No: CL12002575-00

**NOTICE OF PRESENTMENT OF ORDER**

PLEASE TAKE NOTICE that on the 27<sup>th</sup> day of June, 2014, beginning at 2:30 p.m. before the Honorable Charles N. Dorsey, Roanoke City Circuit Court, Courthouse, 315 West Church Avenue, Roanoke, Virginia 24010, plaintiff, by counsel, will present the Order attached hereto to Judge Dorsey and request entry of same.

You must be present if you wish to be heard.

BARBARA J. FILSON

  
By Counsel

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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[gibson@gentrylocke.com](mailto:gibson@gentrylocke.com)  
[byrd@gentrylocke.com](mailto:byrd@gentrylocke.com)  
[sullivan@gentrylocke.com](mailto:sullivan@gentrylocke.com)

*Counsel for Barbara J. Filson*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23 day of May, 2014, the foregoing was served via electronic and regular mail upon:

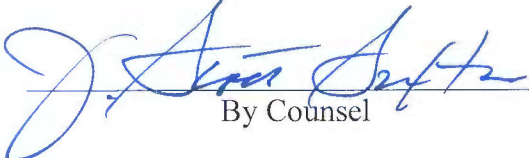
Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
[sbusch@mcquirewoods.com](mailto:sbusch@mcquirewoods.com)

James F., Neale, Esq.  
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310 Fourth Street, N.E.  
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[jneale@mcquirewoods.com](mailto:jneale@mcquirewoods.com)

Counsel for Defendant Insight Health Corp.

John Jessee, Esq.  
Nancy F. Reynolds, Esq.  
Michael P. Gardner, Esq.  
1800 Wells Fargo Tower  
Drawer 1200  
Roanoke, Virginia 24006  
[john.jessee@leclairryan.com](mailto:john.jessee@leclairryan.com)  
[nancy.reynolds@leclairryan.com](mailto:nancy.reynolds@leclairryan.com)  
[michael.gardner@leclairryan.com](mailto:michael.gardner@leclairryan.com)

Counsel for the defendants Image Guided Pain Management,  
John Mathis, M.D., and Robert O'Brien, M.D.

  
By Counsel



**VIRGINIA:**

**IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE**

**BARBARA J. FILSON,**

*Plaintiff,*

**v.**

**INSIGHT HEALTH CORP., *et al.***

**Defendants.**

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**Case No: CL12-2575**

**ORDER**

Upon Motion, argument of counsel, and consideration of the pleadings and arguments before the Court, all of which is more particularly set forth and the Court's letter opinion of October 31, 2013 in the case of *Sharon G. Wingate, Executor of the Estate of Douglas Gray Wingate, deceased v. Insight Health Corp., John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain Management, P.C.*, the contents of which are incorporated herein as applicable, the Court makes the following rulings:

1. Defendant Insight Health Corporation's demurrers to all plaintiff's claims and causes of action except the fraud claim (Count V) are **OVERRULED**;
2. The demurrers filed by defendants John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain, P.C. (collectively the IGPM defendants) to all plaintiff's claims and causes of action except for the fraud claim (Count V) are **OVERRULED**;
3. Insight Health Corporation and the IGPM defendants demurrers to plaintiff's fraud claim (Count V) are **SUSTAINED** on the grounds of specificity set forth in the Court's letter opinion, and plaintiff is granted leave to amend her Complaint within 21 days of entry of this order; and

4. Insight Health Corporation's Motion to Amend its Responses to Request for Admissions Related to Health Care Provider Status as defined under Va. Code Section 8.01-581.1 is DENIED.

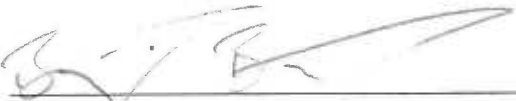
The Clerk is directed to send certified copies of this Order to all counsel of record.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

The Honorable Charles M. Dorsey

SEEN AND OBJECTED TO IN PART:



J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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russell@gentrylocke.com  
smith@gentrylocke.com  
gibson@gentrylocke.com  
byrd@gentrylocke.com  
sullivan@gentrylocke.com

*Counsel for Plaintiff Barbara J. Filson*

SEEN AND \_\_\_\_\_:

---

John Jessee, Esq. (VSB No. 18745)  
Nancy F. Reynolds, Esq. (VSB No. 38236)  
1800 Wells Fargo Tower  
Drawer 1200  
Roanoke, Virginia 24006  
john.jessee@leclairryan.com  
nancy.reynolds@leclairryan.com

*Counsel for Defendants Image Guided Pain Management and  
John Mathis, M.D.*

SEEN AND \_\_\_\_\_:

---

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
sbusch@mcguirewoods.com

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Suite 300  
Charlottesville, VA 22902  
jneale@mcguirewoods.com

*Counsel for Defendant Insight Health Corp.*

GENTRY LOCKE  
RAKES & MOORE<sup>LLP</sup>  
*Attorneys*

J. Scott Sexton

(540) 983-9379

sexton@gentrylocke.com

Facsimile 540-983-9400

Post Office Box 40013

Roanoke, Virginia 24022-0013

May 23, 2014

Brenda S. Hamilton, Clerk  
Roanoke City Circuit Court  
315 West Church Avenue  
Roanoke, Virginia 24011

Re: Zachary Lucas Foutz, a minor, by his Parents and Next Friends, Benjamin T. Foutz and Andrea L. Foutz v. Insight Health Corp., *et al.*; CL13000009-00

Dear Ms. Hamilton:

Enclosed is a Notice of Presentment of Order and Plaintiff's Status Report for filing in the above-styled matter.

As always, thank you for your assistance. Please do not hesitate to contact me should you have any questions.

Very truly yours,

GENTRY LOCKE RAKES & MOORE, LLP



J. Scott Sexton

JSS:lav

Enclosures

cc: Stephen D. Busch, Esq. (w/encs. – via email & U.S. Mail)  
James F., Neale, Esq. (w/encs. – via email & U.S. Mail)  
John Jessee, Esq. (w/encs. – via email & U.S. Mail)  
Nancy F. Reynolds, Esq. (w/enc. – via email & U.S. Mail)  
Michael P. Gardner, Esq. (w/encs. – via email & U.S. Mail)



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FAX (540) 983-9400  
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[byrd@gentrylocke.com](mailto:byrd@gentrylocke.com)  
[sullivan@gentrylocke.com](mailto:sullivan@gentrylocke.com)

*Counsel for Zachary Lucas Foutz, a minor, by his parents and next friends, Benjamin T. Foutz and Andrea L. Foutz*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23 day of May, 2014, the foregoing was served via electronic and regular mail upon:

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
[sbusch@mcquirewoods.com](mailto:sbusch@mcquirewoods.com)

James F., Neale, Esq.  
McGuire Woods, LLP  
Court Square Building  
310 Fourth Street, N.E.  
Suite 300  
Charlottesville, VA 22902-1288  
[jneale@mcguirewoods.com](mailto:jneale@mcguirewoods.com)

Counsel for Defendant Insight Health Corp.

John Jessee, Esq.  
Nancy F. Reynolds, Esq.  
Michael P. Gardner, Esq.  
1800 Wells Fargo Tower  
Drawer 1200  
Roanoke, Virginia 24006  
[john.jessee@leclairryan.com](mailto:john.jessee@leclairryan.com)  
[nancy.reynolds@leclairryan.com](mailto:nancy.reynolds@leclairryan.com)  
[michael.gardner@leclairryan.com](mailto:michael.gardner@leclairryan.com)

Counsel for the defendants Image Guided Pain Management,  
John Mathis, M.D., and Robert O'Brien, M.D.

  
By Counsel

**VIRGINIA:**

**IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE**

**ZACHARY LUCAS FOUTZ, A MINOR,** )  
**BY HIS PARENTS AND NEXT FRIENDS,** )  
**BENJAMIN T. FOUTZ AND ANDREA L.** )  
**FOUTZ,** )  
**Plaintiff,** )  
**v.** )  
**INSIGHT HEALTH CORP., et al.** )  
**Defendants.** )

**Case No: CL13-0009**

**ORDER**

Upon Motion, argument of counsel, and consideration of the pleadings and arguments before the Court, all of which is more particularly set forth and the Court's letter opinion of October 31, 2013 in the case of *Sharon G. Wingate, Executor of the Estate of Douglas Gray Wingate, deceased v. Insight Health Corp., John M. Mathis, M.D., and Image Guided Pain Management, P.C.*, the contents of which are incorporated herein as applicable, the Court makes the following rulings:

1. Defendant Insight Health Corporation's demurrers to all plaintiff's claims and causes of action except the fraud claim (Count V) are **OVERRULED**;
2. The demurrers filed by defendants John M. Mathis, M.D., and Image Guided Pain, P.C. (collectively the IGPM defendants) to all plaintiff's claims and causes of action except for the fraud claim (Count V) are **OVERRULED**;
3. Insight Health Corporation and the IGPM defendants demurrers to plaintiff's fraud claim (Count V) are **SUSTAINED** on the grounds of specificity set forth in the Court's letter opinion, and plaintiff is granted leave to amend their Complaint within 21 days of entry of this order; and



4. Insight Health Corporation's Motion to Amend its Responses to Request for Admissions Related to Health Care Provider Status as defined under Va. Code Section 8.01-581.1 is DENIED.

The Clerk is directed to send certified copies of this Order to all counsel of record.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

The Honorable Charles M. Dorsey

SEEN AND OBJECTED TO IN PART:



J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
GENTRY LOCKE RAKES & MOORE, LLP  
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(540) 983-9300  
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sexton@gentrylocke.com  
russell@gentrylocke.com  
smith@gentrylocke.com  
gibson@gentrylocke.com  
byrd@gentrylocke.com  
sullivan@gentrylocke.com

*Counsel for Plaintiff Zachary Lucas Foutz, a minor, by his parents and next friends, Benjamin T. Foutz and Andrea L. Foutz*

SEEN AND \_\_\_\_\_:

---

John Jessee, Esq. (VSB No. 18745)  
Nancy F. Reynolds, Esq. (VSB No. 38236)  
1800 Wells Fargo Tower  
Drawer 1200  
Roanoke, Virginia 24006  
john.jessee@leclairryan.com  
nancy.reynolds@leclairryan.com

*Counsel for Defendants Image Guided Pain Management and  
John Mathis, M.D.*

SEEN AND \_\_\_\_\_:

---

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
sbusch@mcguirewoods.com

James F. Neale, Esq.  
McGuire Woods, LLP  
Court Square Building  
310 Fourth Street, N.E.  
Suite 300  
Charlottesville, VA 22902  
jneale@mcguirewoods.com

*Counsel for Defendant Insight Health Corp.*

GENTRY LOCKE  
RAKES & MOORE<sup>LLP</sup>  
*Attorneys*

J. Scott Sexton

(540) 983-9379

sexton@gentrylocke.com

Facsimile 540-983-9400

Post Office Box 40013

Roanoke, Virginia 24022-0013

May 23, 2014

Brenda S. Hamilton, Clerk  
Roanoke City Circuit Court  
315 West Church Avenue  
Roanoke, Virginia 24010-2610

Re: Robert Earl Harris, Jr. v. Insight Health Corp., *et al.*; CL13000055-00

Dear Ms. Hamilton:

Enclosed is a Notice of Presentment of Order and Plaintiff's Status Report for filing in the above-styled matter.

As always, thank you for your assistance. Please do not hesitate to contact me should you have any questions.

Very truly yours,

GENTRY LOCKE RAKES & MOORE, LLP



J. Scott Sexton

JSS:lav

Enclosure

cc: Stephen D. Busch, Esq. (w/encs. – via email & U.S. Mail)  
James F., Neale, Esq. (w/encs. – via email & U.S. Mail)  
John Jessee, Esq. (w/encs. – via email & U.S. Mail)  
Nancy F. Reynolds, Esq. (w/enc. – via email & U.S. Mail)  
Michael P. Gardner, Esq. (w/encs. – via email & U.S. Mail)

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

ROBERT EARL HARRIS, JR.,

*Plaintiff,*

v.

INSIGHT HEALTH CORP., *et al.*

*Defendants.*

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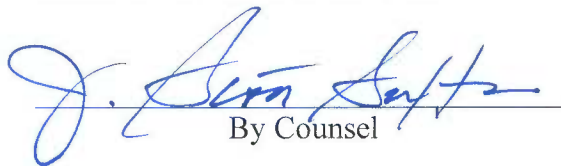
Case No: C13000055-00

**NOTICE OF PRESENTMENT OF ORDER**

PLEASE TAKE NOTICE that on the 27<sup>th</sup> day of June, 2014, beginning at 2:30 p.m. before the Honorable Charles N. Dorsey, Roanoke City Circuit Court, Courthouse, 315 West Church Avenue, Roanoke, Virginia 24010, plaintiff, by counsel, will present the Order attached hereto to Judge Dorsey and request entry of same.

You must be present if you wish to be heard.

ROBERT EARL HARRIS, JR.

  
By Counsel

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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[sullivan@gentrylocke.com](mailto:sullivan@gentrylocke.com)

*Counsel for Robert Earl Harris, Jr.*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23 day of May, 2014, the foregoing was served via electronic and regular mail upon:

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
[sbusch@mcquirewoods.com](mailto:sbusch@mcquirewoods.com)

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Counsel for Defendant Insight Health Corp.

John Jessee, Esq.  
Nancy F. Reynolds, Esq.  
Michael P. Gardner, Esq.  
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[john.jessee@leclairryan.com](mailto:john.jessee@leclairryan.com)  
[nancy.reynolds@leclairryan.com](mailto:nancy.reynolds@leclairryan.com)  
[michael.gardner@leclairryan.com](mailto:michael.gardner@leclairryan.com)

Counsel for the defendants Image Guided Pain Management,  
John Mathis, M.D., and Robert O'Brien, M.D.

  
By Counsel



4. Insight Health Corporation's Motion to Amend its Responses to Request for Admissions Related to Health Care Provider Status as defined under Va. Code Section 8.01-581.1 is DENIED.

The Clerk is directed to send certified copies of this Order to all counsel of record.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

The Honorable Charles M. Dorsey

SEEN AND OBJECTED TO IN PART:

  
J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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russell@gentrylocke.com  
smith@gentrylocke.com  
gibson@gentrylocke.com  
byrd@gentrylocke.com  
sullivan@gentrylocke.com

*Counsel for Plaintiff Robert Earl Harris*

SEEN AND \_\_\_\_\_:

---

John Jessee, Esq. (VSB No. 18745)  
Nancy F. Reynolds, Esq. (VSB No. 38236)  
1800 Wells Fargo Tower  
Drawer 1200  
Roanoke, Virginia 24006  
john.jessee@leclairryan.com  
nancy.reynolds@leclairryan.com

*Counsel for Defendants Image Guided Pain Management and  
John Mathis, M.D.*

SEEN AND \_\_\_\_\_:

---

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
sbusch@mcguirewoods.com

James F. Neale, Esq.  
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Court Square Building  
310 Fourth Street, N.E.  
Suite 300  
Charlottesville, VA 22902  
jneale@mcguirewoods.com

*Counsel for Defendant Insight Health Corp.*



GENTRY LOCKE  
RAKES & MOORE<sup>LLP</sup>  
*Attorneys*

J. Scott Sexton

(540) 983-9379

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Facsimile 540-983-9400

Post Office Box 40013

Roanoke, Virginia 24022-0013

May 23, 2014

Brenda S. Hamilton, Clerk  
Roanoke City Circuit Court  
315 West Church Avenue  
Roanoke, Virginia 24011

Re: Julian Delano Holbrook v. Insight Health Corp., John M. Mathis, M.D.,  
Robert F. O'Brien and Image Guided Pain Management, P.C.

Dear Ms. Hamilton:

Enclosed is a Notice of Presentment of Order and Plaintiff's Status Report for filing in the above-styled matter.

As always, thank you for your assistance. Please do not hesitate to contact me should you have any questions.

Very truly yours,

GENTRY LOCKE RAKES & MOORE, LLP



J. Scott Sexton

JSS:lav

Enclosures

cc: Stephen D. Busch, Esq. (w/encs. – via email & U.S. Mail)  
James F., Neale, Esq. (w/encs. – via email & U.S. Mail)  
John Jessee, Esq. (w/encs. – via email & U.S. Mail)  
Nancy F. Reynolds, Esq. (w/enc. – via email & U.S. Mail)  
Michael P. Gardner, Esq. (w/encs. – via email & U.S. Mail)

**VIRGINIA:**

**IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE**

**JULIAN D. HOLBROOK,**

*Plaintiff,*

**v.**

**INSIGHT HEALTH CORP., et al.,**

*Defendants.*

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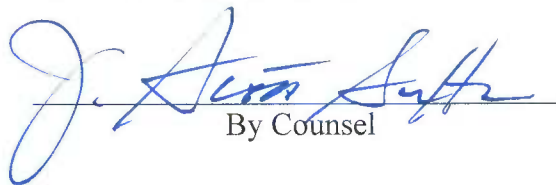
**Case No: CL13000370-00**

**NOTICE OF PRESENTMENT OF ORDER**

PLEASE TAKE NOTICE that on the 27<sup>th</sup> day of June, 2014, beginning at 2:30 p.m. before the Honorable Charles N. Dorsey, Roanoke City Circuit Court, Courthouse, 315 West Church Avenue, Roanoke, Virginia 24010, plaintiff, by counsel, will present the Order attached hereto to Judge Dorsey and request entry of same.

You must be present if you wish to be heard.

JULIAN D. HOLBROOK

  
By Counsel

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
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[byrd@gentrylocke.com](mailto:byrd@gentrylocke.com)  
[sullivan@gentrylocke.com](mailto:sullivan@gentrylocke.com)

*Counsel for Julian D. Holbrook*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23 day of May, 2014, the foregoing was served via electronic and regular mail upon:

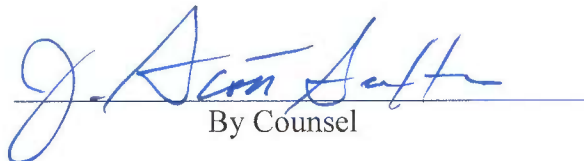
Stephen D. Busch, Esq.  
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901 E. Cary Street  
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[sbusch@mcquirewoods.com](mailto:sbusch@mcquirewoods.com)

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[jneale@mcguirewoods.com](mailto:jneale@mcguirewoods.com)

Counsel for Defendant Insight Health Corp.

John Jessee, Esq.  
Nancy F. Reynolds, Esq.  
Michael P. Gardner, Esq.  
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[john.jessee@leclairryan.com](mailto:john.jessee@leclairryan.com)  
[nancy.reynolds@leclairryan.com](mailto:nancy.reynolds@leclairryan.com)  
[michael.gardner@leclairryan.com](mailto:michael.gardner@leclairryan.com)

Counsel for the defendants Image Guided Pain Management,  
John Mathis, M.D., and Robert O'Brien, M.D.

  
By Counsel

**VIRGINIA:**

**IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE**

**JULIAN D. HOLBROOK**

*Plaintiff,*

**v.**

**INSIGHT HEALTH CORP., et al.**

**Defendants.**

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**Case No: CL13-370**

**ORDER**

Upon Motion, argument of counsel, and consideration of the pleadings and arguments before the Court, all of which is more particularly set forth and the Court's letter opinion of October 31, 2013 in the case of *Sharon G. Wingate, Executor of the Estate of Douglas Gray Wingate, deceased v. Insight Health Corp., John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain Management, P.C.*, the contents of which are incorporated herein as applicable, the Court makes the following rulings:

1. Defendant Insight Health Corporation's demurrers to all plaintiff's claims and causes of action except the fraud claim (Count V) are **OVERRULED**;
2. The demurrers filed by defendants John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain, P.C. (collectively the IGP defendants) to all plaintiff's claims and causes of action except for the fraud claim (Count V) are **OVERRULED**;
3. Insight Health Corporation's and the IGPM defendants' demurrers to plaintiff's fraud claim (Count V) are **SUSTAINED** on the grounds of specificity set forth in the Court's letter opinion, and plaintiff is granted leave to amend his Complaint within 21 days of entry of this order.

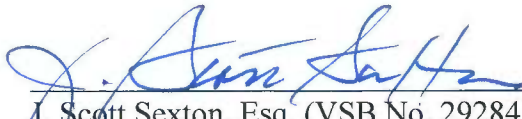
The Clerk is directed to send certified copies of this Order to all counsel of record.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

Honorable Charles M. Dorsey

SEEN AND OBJECTED TO IN PART:



---

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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russell@gentrylocke.com  
smith@gentrylocke.com  
gibson@gentrylocke.com  
byrd@gentrylocke.com  
sullivan@gentrylocke.com

*Counsel for Plaintiff Julian D. Holbrook*

SEEN AND \_\_\_\_\_:

---

John Jessee, Esq. (VSB No. 18745)  
Nancy F. Reynolds, Esq. (VSB No. 38236)  
1800 Wells Fargo Tower  
Drawer 1200  
Roanoke, Virginia 24006  
john.jessee@leclairryan.com  
nancy.reynolds@leclairryan.com  
*Counsel for Defendants Image Guided Pain Management,  
John Mathis, M.D. and Robert F. O'Brien, M.D.*

SEEN AND \_\_\_\_\_:

---

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
sbusch@mcguirewoods.com

James F. Neale, Esq.  
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Suite 300  
Charlottesville, VA 22902  
jneale@mcguirewoods.com  
*Counsel for Defendant Insight Health Corp.*

GENTRY LOCKE  
RAKES & MOORE<sup>LLP</sup>  
*Attorneys*

J. Scott Sexton  
(540) 983-9379  
sexton@gentrylocke.com

Facsimile 540-983-9400  
Post Office Box 40013  
Roanoke, Virginia 24022-0013

May 23, 2014

Brenda S. Hamilton, Clerk  
Roanoke City Circuit Court  
315 West Church Avenue  
Roanoke, Virginia 24011

Re: Chester T. Kalinoski v. Insight Health Corp., *et al.*; CL12002574-00

Dear Ms. Hamilton:

Enclosed is a Notice of Presentment of Order and Plaintiff's Status Report for filing in the above-styled matter.

As always, thank you for your assistance. Please do not hesitate to contact me should you have any questions.

Very truly yours,

GENTRY LOCKE RAKES & MOORE, LLP



J. Scott Sexton

JSS:lav

Enclosures

cc: Stephen D. Busch, Esq. (w/encs. – via email & U.S. Mail)  
James F., Neale, Esq. (w/encs. – via email & U.S. Mail)  
John Jessee, Esq. (w/encs. – via email & U.S. Mail)  
Nancy F. Reynolds, Esq. (w/enc. – via email & U.S. Mail)  
Michael P. Gardner, Esq. (w/encs. – via email & U.S. Mail)



VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

CHESTER T. KALINOSKI,

*Plaintiff,*

v.

INSIGHT HEALTH CORP., *et al.*,

*Defendants.*

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Case No: CL12002574-00

**NOTICE OF PRESENTMENT OF ORDER**

PLEASE TAKE NOTICE that on the 27<sup>th</sup> day of June, 2014, beginning at 2:30 p.m. before the Honorable Charles N. Dorsey, Roanoke City Circuit Court, Courthouse, 315 West Church Avenue, Roanoke, Virginia 24010, plaintiff, by counsel, will present the Order attached hereto to Judge Dorsey and request entry of same.

You must be present if you wish to be heard.

CHESTER T. KALINOSKI

  
By Counsel

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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[sexton@gentrylocke.com](mailto:sexton@gentrylocke.com)  
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[gibson@gentrylocke.com](mailto:gibson@gentrylocke.com)  
[byrd@gentrylocke.com](mailto:byrd@gentrylocke.com)  
[sullivan@gentrylocke.com](mailto:sullivan@gentrylocke.com)

*Counsel for Chester T. Kalinoski*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23 day of May, 2014, the foregoing was served via electronic and regular mail upon:

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
[sbusch@mcquirewoods.com](mailto:sbusch@mcquirewoods.com)

James F., Neale, Esq.  
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310 Fourth Street, N.E.  
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[jneale@mcquirewoods.com](mailto:jneale@mcquirewoods.com)

Counsel for Defendant Insight Health Corp.

John Jessee, Esq.  
Nancy F. Reynolds, Esq.  
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1800 Wells Fargo Tower  
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Roanoke, Virginia 24006  
[john.jessee@leclairryan.com](mailto:john.jessee@leclairryan.com)  
[nancy.reynolds@leclairryan.com](mailto:nancy.reynolds@leclairryan.com)  
[michael.gardner@leclairryan.com](mailto:michael.gardner@leclairryan.com)

Counsel for the defendants Image Guided Pain Management,  
John Mathis, M.D., and Robert O'Brien, M.D.

  
By Counsel



4. Insight Health Corporation's Motion to Amend its Responses to Request for Admissions Related to Health Care Provider Status as defined under Va. Code Section 8.01-581.1 is DENIED.

The Clerk is directed to send certified copies of this Order to all counsel of record.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

The Honorable Charles M. Dorsey

SEEN AND OBJECTED TO IN PART:

  
J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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russell@gentrylocke.com  
smith@gentrylocke.com  
gibson@gentrylocke.com  
byrd@gentrylocke.com  
sullivan@gentrylocke.com

*Counsel for Plaintiff Chester T. Kalinoski*

SEEN AND \_\_\_\_\_:

---

John Jessee, Esq. (VSB No. 18745)  
Nancy F. Reynolds, Esq. (VSB No. 38236)  
1800 Wells Fargo Tower  
Drawer 1200  
Roanoke, Virginia 24006  
john.jessee@leclairryan.com  
nancy.reynolds@leclairryan.com

*Counsel for Defendants Image Guided Pain Management and  
John Mathis, M.D.*

SEEN AND \_\_\_\_\_:

---

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
sbusch@mcguirewoods.com

James F. Neale, Esq.  
McGuire Woods, LLP  
Court Square Building  
310 Fourth Street, N.E.  
Suite 300  
Charlottesville, VA 22902  
jneale@mcguirewoods.com

*Counsel for Defendant Insight Health Corp.*

GENTRY LOCKE  
RAKES & MOORE<sup>LLP</sup>  
Attorneys

J. Scott Sexton  
(540) 983-9379  
sexton@gentrylocke.com

Facsimile 540-983-9400  
Post Office Box 40013  
Roanoke, Virginia 24022-0013

May 23, 2014

Brenda S. Hamilton, Clerk  
Roanoke City Circuit Court  
315 West Church Avenue  
Roanoke, Virginia 24011

Re: Pauline R. McFarlane v. Insight Health Corp., *et al.*; CL12002573-00

Dear Ms. Hamilton:

Enclosed is a Notice of Presentment of Order and Plaintiff's Status Report for filing in the above-styled matter.

As always, thank you for your assistance. Please do not hesitate to contact me should you have any questions.

Very truly yours,

GENTRY LOCKE RAKES & MOORE, LLP



J. Scott Sexton

JSS:lav

Enclosures

cc: Stephen D. Busch, Esq. (w/encs. – via email & U.S. Mail)  
James F., Neale, Esq. (w/encs. – via email & U.S. Mail)  
John Jessee, Esq. (w/encs. – via email & U.S. Mail)  
Nancy F. Reynolds, Esq. (w/enc. – via email & U.S. Mail)  
Michael P. Gardner, Esq. (w/encs. – via email & U.S. Mail)

**VIRGINIA:**

**IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE**

**PAULINE R. MCFARLANE,**

*Plaintiff,*

**v.**

**INSIGHT HEALTH CORP., *et al.*,**

*Defendants.*

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**Case No: CL12002573-00**

**NOTICE OF PRESENTMENT OF ORDER**

PLEASE TAKE NOTICE that on the 27<sup>th</sup> day of June, 2014, beginning at 2:30 p.m. before the Honorable Charles N. Dorsey, Roanoke City Circuit Court, Courthouse, 315 West Church Avenue, Roanoke, Virginia 24010, plaintiff, by counsel, will present the Order attached hereto to Judge Dorsey and request entry of same.

You must be present if you wish to be heard.

PAULINE R. MCFARLANE

  
By Counsel

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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[byrd@gentrylocke.com](mailto:byrd@gentrylocke.com)  
[sullivan@gentrylocke.com](mailto:sullivan@gentrylocke.com)

*Counsel for Pauline R. McFarlane*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23 day of May, 2014, the foregoing was served via electronic and regular mail upon:

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
[sbusch@mcquirewoods.com](mailto:sbusch@mcquirewoods.com)

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Counsel for Defendant Insight Health Corp.

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[nancy.reynolds@leclairryan.com](mailto:nancy.reynolds@leclairryan.com)  
[michael.gardner@leclairryan.com](mailto:michael.gardner@leclairryan.com)

Counsel for the defendants Image Guided Pain Management,  
John Mathis, M.D., and Robert O'Brien, M.D.

  
By Counsel



VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

PAULINE R. MCFARLANE,

*Plaintiff,*

v.

INSIGHT HEALTH CORP., *et al.*

*Defendants.*

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Case No: CL12-2573

**ORDER**

Upon Motion, argument of counsel, and consideration of the pleadings and arguments before the Court, all of which is more particularly set forth and the Court's letter opinion of October 31, 2013 in the case of *Sharon G. Wingate, Executor of the Estate of Douglas Gray Wingate, deceased v. Insight Health Corp., John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain Management, P.C.*, the contents of which are incorporated herein as applicable, the Court makes the following rulings:

1. Defendant Insight Health Corporation's demurrers to all plaintiff's claims and causes of action except the fraud claim (Count V) are OVERRULED;
2. The demurrers filed by defendants John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain, P.C. (collectively the IGPM defendants) to all plaintiff's claims and causes of action except for the fraud claim (Count V) are OVERRULED;
3. Insight Health Corporation and the IGPM defendants demurrers to plaintiff's fraud claim (Count V) are SUSTAINED on the grounds of specificity set forth in the Court's letter opinion, and plaintiff is granted leave to amend her Complaint within 21 days of entry of this order; and



4. Insight Health Corporation's Motion to Amend its Responses to Request for Admissions Related to Health Care Provider Status as defined under Va. Code Section 8.01-581.1 is DENIED.

The Clerk is directed to send certified copies of this Order to all counsel of record.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

The Honorable Charles M. Dorsey

SEEN AND OBJECTED TO IN PART:



J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
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byrd@gentrylocke.com  
sullivan@gentrylocke.com

*Counsel for Plaintiff Pauline R. McFarlane*

SEEN AND \_\_\_\_\_:

---

John Jessee, Esq. (VSB No. 18745)  
Nancy F. Reynolds, Esq. (VSB No. 38236)  
1800 Wells Fargo Tower  
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Roanoke, Virginia 24006  
john.jessee@leclairryan.com  
nancy.reynolds@leclairryan.com

*Counsel for Defendants Image Guided Pain Management and  
John Mathis, M.D.*

SEEN AND \_\_\_\_\_:

---

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James F. Neale, Esq.  
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*Counsel for Defendant Insight Health Corp.*

GENTRY LOCKE  
RAKES & MOORE<sup>LLP</sup>  
*Attorneys*

J. Scott Sexton  
(540) 983-9379  
sexton@gentrylocke.com

Facsimile 540-983-9400  
Post Office Box 40013  
Roanoke, Virginia 24022-0013

May 23, 2014

Brenda S. Hamilton, Clerk  
Roanoke City Circuit Court  
315 West Church Avenue  
Roanoke, Virginia 24011

Re: Odessa M. Shuck v. Insight Health Corp., John M. Mathis, M.D., Robert F.  
O'Brien, M.D. and Image Guided Pain Management, P.C.; CL13000584-00

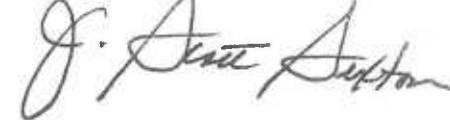
Dear Ms. Hamilton:

Enclosed is a Notice of Presentment of Order and Plaintiff's Status Report for filing in the above-styled matter.

As always, thank you for your assistance. Please do not hesitate to contact me should you have any questions.

Very truly yours,

GENTRY LOCKE RAKES & MOORE, LLP



J. Scott Sexton

JSS:lav

Enclosures

cc: Stephen D. Busch, Esq. (w/encs. – via email & U.S. Mail)  
James F., Neale, Esq. (w/encs. – via email & U.S. Mail)  
John Jessee, Esq. (w/encs. – via email & U.S. Mail)  
Nancy F. Reynolds, Esq. (w/enc. – via email & U.S. Mail)  
Michael P. Gardner, Esq. (w/encs. – via email & U.S. Mail)

**VIRGINIA:**

**IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE**

**ODESSA M. SHUCK,**

*Plaintiff,*

**v.**

**INSIGHT HEALTH CORP., et al.,**

*Defendants.*

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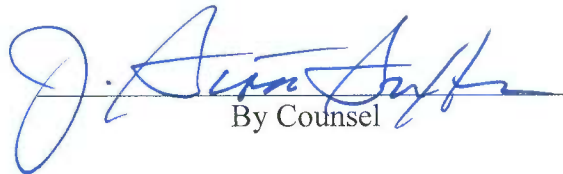
**Case No: CL13000584-00**

**NOTICE OF PRESENTMENT OF ORDER**

PLEASE TAKE NOTICE that on the 27<sup>th</sup> day of June, 2014, beginning at 2:30 p.m. before the Honorable Charles N. Dorsey, Roanoke City Circuit Court, Courthouse, 315 West Church Avenue, Roanoke, Virginia 24010, plaintiff, by counsel, will present the Order attached hereto to Judge Dorsey and request entry of same.

You must be present if you wish to be heard.

ODESSA M. SHUCK

  
By Counsel

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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[sullivan@gentrylocke.com](mailto:sullivan@gentrylocke.com)

*Counsel for Odessa M. Shuck*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23 day of May, 2014, the foregoing was served via electronic and regular mail upon:

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
[sbusch@mcquirewoods.com](mailto:sbusch@mcquirewoods.com)

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310 Fourth Street, N.E.  
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Charlottesville, VA 22902-1288  
[jneale@mcguirewoods.com](mailto:jneale@mcguirewoods.com)

Counsel for Defendant Insight Health Corp.

John Jessee, Esq.  
Nancy F. Reynolds, Esq.  
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1800 Wells Fargo Tower  
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[john.jessee@leclairryan.com](mailto:john.jessee@leclairryan.com)  
[nancy.reynolds@leclairryan.com](mailto:nancy.reynolds@leclairryan.com)  
[michael.gardner@leclairryan.com](mailto:michael.gardner@leclairryan.com)

Counsel for the defendants Image Guided Pain Management,  
John Mathis, M.D., and Robert O'Brien, M.D.

  
By Counsel

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

ODESSA M. SHUCK

*Plaintiff,*

v.

INSIGHT HEALTH CORP., *et al.*

*Defendants.*

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Case No: CL13-584

ORDER

Upon Motion, argument of counsel, and consideration of the pleadings and arguments before the Court, all of which is more particularly set forth and the Court's letter opinion of October 31, 2013 in the case of *Sharon G. Wingate, Executor of the Estate of Douglas Gray Wingate, deceased v. Insight Health Corp., John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain Management, P.C.*, the contents of which are incorporated herein as applicable, the Court makes the following rulings:

1. Defendant Insight Health Corporation's demurrers to all plaintiff's claims and causes of action except the fraud claim (Count V) are OVERRULED;
2. The demurrers filed by defendants John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain, P.C. (collectively the IGP defendants) to all plaintiff's claims and causes of action except for the fraud claim (Count V) are OVERRULED;
3. Insight Health Corporation's and the IGPM defendants' demurrers to plaintiff's fraud claim (Count V) are SUSTAINED on the grounds of specificity set forth in the Court's letter opinion, and plaintiff is granted leave to amend her Complaint within 21 days of entry of this order.

The Clerk is directed to send certified copies of this Order to all counsel of record.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

Honorable Charles M. Dorsey

SEEN AND OBJECTED TO IN PART:



---

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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gibson@gentrylocke.com  
byrd@gentrylocke.com  
sullivan@gentrylocke.com

*Counsel for Plaintiff Odessa M. Shuck*

SEEN AND \_\_\_\_\_:

---

John Jessee, Esq. (VSB No. 18745)  
Nancy F. Reynolds, Esq. (VSB No. 38236)  
1800 Wells Fargo Tower  
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Roanoke, Virginia 24006  
john.jessee@leclairryan.com  
nancy.reynolds@leclairryan.com  
*Counsel for Defendants Image Guided Pain Management,  
John Mathis, M.D. and Robert F. O'Brien, M.D.*

SEEN AND \_\_\_\_\_:

---

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
sbusch@mcguirewoods.com

James F. Neale, Esq.  
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310 Fourth Street, N.E.  
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Charlottesville, VA 22902  
jneale@mcguirewoods.com  
*Counsel for Defendant Insight Health Corp.*



GENTRY LOCKE  
RAKES & MOORE<sup>LLP</sup>  
*Attorneys*

J. Scott Sexton  
(540) 983-9379  
sexton@gentrylocke.com

Facsimile 540-983-9400  
Post Office Box 40013  
Roanoke, Virginia 24022-0013

May 23, 2014

Brenda S. Hamilton, Clerk  
Roanoke City Circuit Court  
315 West Church Avenue  
Roanoke, Virginia 24011

Re: James Wirt Smith, Jr. v. Insight Health Corp., John M. Mathis, M.D., Robert F. O'Brien, M.D. and Image Guided Pain Management, P.C.

Dear Ms. Hamilton:

Enclosed is a Notice of Presentment of Order and Plaintiff's Status Report for filing in the above-styled matter.

As always, thank you for your assistance. Please do not hesitate to contact me should you have any questions.

Very truly yours,

GENTRY LOCKE RAKES & MOORE, LLP



J. Scott Sexton

JSS:lav

Enclosures

cc: Stephen D. Busch, Esq. (w/encs. – via email & U.S. Mail)  
James F., Neale, Esq. (w/encs. – via email & U.S. Mail)  
John Jessee, Esq. (w/encs. – via email & U.S. Mail)  
Nancy F. Reynolds, Esq. (w/enc. – via email & U.S. Mail)  
Michael P. Gardner, Esq. (w/encs. – via email & U.S. Mail)

**VIRGINIA:**

**IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE**

**JAMES WIRT SMITH, JR.,**

*Plaintiff,*

**v.**

**INSIGHT HEALTH CORP., et al.**

*Defendants.*

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**Case No: CL12002572-00**

**NOTICE OF PRESENTMENT OF ORDER**

PLEASE TAKE NOTICE that on the 27<sup>th</sup> day of June, 2014, beginning at 2:30 p.m. before the Honorable Charles N. Dorsey, Roanoke City Circuit Court, Courthouse, 315 West Church Avenue, Roanoke, Virginia 24010, plaintiff, by counsel, will present the Order attached hereto to Judge Dorsey and request entry of same.

You must be present if you wish to be heard.

JAMES WIRT SMITH, JR.

  
By Counsel

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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[smith@gentrylocke.com](mailto:smith@gentrylocke.com)

[gibson@gentrylocke.com](mailto:gibson@gentrylocke.com)  
[byrd@gentrylocke.com](mailto:byrd@gentrylocke.com)  
[sullivan@gentrylocke.com](mailto:sullivan@gentrylocke.com)

*Counsel for James Wirt Smith, Jr.*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23 day of May, 2014, the foregoing was served via electronic and regular mail upon:

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
[sbusch@mcquirewoods.com](mailto:sbusch@mcquirewoods.com)

James F., Neale, Esq.  
McGuire Woods, LLP  
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310 Fourth Street, N.E.  
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Charlottesville, VA 22902-1288  
[jneale@mcguirewoods.com](mailto:jneale@mcguirewoods.com)

Counsel for Defendant Insight Health Corp.

John Jessee, Esq.  
Nancy F. Reynolds, Esq.  
Michael P. Gardner, Esq.  
1800 Wells Fargo Tower  
Drawer 1200  
Roanoke, Virginia 24006  
[john.jessee@leclairryan.com](mailto:john.jessee@leclairryan.com)  
[nancy.reynolds@leclairryan.com](mailto:nancy.reynolds@leclairryan.com)  
[michael.gardner@leclairryan.com](mailto:michael.gardner@leclairryan.com)

Counsel for the defendants Image Guided Pain Management,  
John Mathis, M.D., and Robert O'Brien, M.D.

  
By Counsel

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

JAMES WIRT SMITH, JR.,

*Plaintiff,*

v.

INSIGHT HEALTH CORP., *et al.*

*Defendants.*

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Case No: CL12-2572

ORDER

Upon Motion, argument of counsel, and consideration of the pleadings and arguments before the Court, all of which is more particularly set forth and the Court's letter opinion of October 31, 2013 in the case of *Sharon G. Wingate, Executor of the Estate of Douglas Gray Wingate, deceased v. Insight Health Corp., John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain Management, P.C.*, the contents of which are incorporated herein as applicable, the Court makes the following rulings:

1. Defendant Insight Health Corporation's demurrers to all plaintiff's claims and causes of action except the fraud claim (Count V) are OVERRULED;
2. The demurrers filed by defendants John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain, P.C. (collectively the IGPM defendants) to all plaintiff's claims and causes of action except for the fraud claim (Count V) are OVERRULED;
3. Insight Health Corporation and the IGPM defendants demurrers to plaintiff's fraud claim (Count V) are SUSTAINED on the grounds of specificity set forth in the Court's letter opinion, and plaintiff is granted leave to amend his Complaint within 21 days of entry of this order; and

4. Insight Health Corporation's Motion to Amend its Responses to Request for Admissions Related to Health Care Provider Status as defined under Va. Code Section 8.01-581.1 is DENIED.

The Clerk is directed to send certified copies of this Order to all counsel of record.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

The Honorable Charles M. Dorsey

SEEN AND OBJECTED TO IN PART:

  
\_\_\_\_\_  
J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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russell@gentrylocke.com  
smith@gentrylocke.com  
gibson@gentrylocke.com  
byrd@gentrylocke.com  
sullivan@gentrylocke.com

*Counsel for Plaintiff James Wirt Smith, Jr.*

SEEN AND \_\_\_\_\_:

---

John Jessee, Esq. (VSB No. 18745)  
Nancy F. Reynolds, Esq. (VSB No. 38236)  
1800 Wells Fargo Tower  
Drawer 1200  
Roanoke, Virginia 24006  
john.jessee@leclairryan.com  
nancy.reynolds@leclairryan.com

*Counsel for Defendants Image Guided Pain Management and  
John Mathis, M.D.*

SEEN AND \_\_\_\_\_:

---

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
sbusch@mcguirewoods.com

James F. Neale, Esq.  
McGuire Woods, LLP  
Court Square Building  
310 Fourth Street, N.E.  
Suite 300  
Charlottesville, VA 22902  
jneale@mcguirewoods.com

*Counsel for Defendant Insight Health Corp.*

GENTRY LOCKE  
RAKES & MOORE<sup>LLP</sup>  
*Attorneys*

J. Scott Sexton  
(540) 983-9379  
sexton@gentrylocke.com

Facsimile 540-983-9400  
Post Office Box 40013  
Roanoke, Virginia 24022-0013

May 23, 2014

Brenda S. Hamilton, Clerk  
Roanoke City Circuit Court  
315 West Church Avenue  
Roanoke, Virginia 24011

Re: Randolph Edward Smith v. John M. Mathis, M.D., Robert F. O'Brien, M.D.,  
Insight Health Corp. and Image Guided Pain Management, P.C.

Dear Ms. Hamilton:

Enclosed is a Notice of Presentment of Order and Plaintiff's Status Report for filing in the above-styled matter.

As always, thank you for your assistance. Please do not hesitate to contact me should you have any questions.

Very truly yours,

GENTRY LOCKE RAKES & MOORE, LLP



J. Scott Sexton

JSS:lav

Enclosures

cc: Stephen D. Busch, Esq. (w/encs. – via email & U.S. Mail)  
James F., Neale, Esq. (w/encs. – via email & U.S. Mail)  
John Jessee, Esq. (w/encs. – via email & U.S. Mail)  
Nancy F. Reynolds, Esq. (w/enc. – via email & U.S. Mail)  
Michael P. Gardner, Esq. (w/encs. – via email & U.S. Mail)



VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

RANDOLPH E. SMITH,

*Plaintiff,*

v.

INSIGHT HEALTH CORP., *et al.*

*Defendants.*

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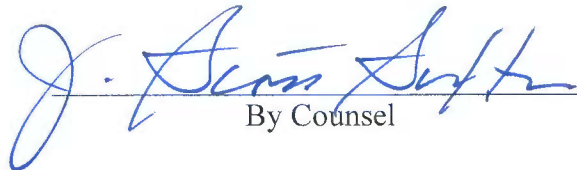
Case No: CL13000057-00

**NOTICE OF PRESENTMENT OF ORDER**

PLEASE TAKE NOTICE that on the 27<sup>th</sup> day of June, 2014, beginning at 2:30 p.m. before the Honorable Charles N. Dorsey, Roanoke City Circuit Court, Courthouse, 315 West Church Avenue, Roanoke, Virginia 24010, plaintiff, by counsel, will present the Order attached hereto to Judge Dorsey and request entry of same.

You must be present if you wish to be heard.

RANDOLPH E. SMITH

  
By Counsel

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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[gibson@gentrylocke.com](mailto:gibson@gentrylocke.com)  
[byrd@gentrylocke.com](mailto:byrd@gentrylocke.com)  
[sullivan@gentrylocke.com](mailto:sullivan@gentrylocke.com)

*Counsel for Randolph E. Smith*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23 day of May, 2014, the foregoing was served via electronic and regular mail upon:

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
[sbusch@mcquirewoods.com](mailto:sbusch@mcquirewoods.com)

James F., Neale, Esq.  
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310 Fourth Street, N.E.  
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Charlottesville, VA 22902-1288  
[jneale@mcguirewoods.com](mailto:jneale@mcguirewoods.com)

Counsel for Defendant Insight Health Corp.

John Jessee, Esq.  
Nancy F. Reynolds, Esq.  
Michael P. Gardner, Esq.  
1800 Wells Fargo Tower  
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Roanoke, Virginia 24006  
[john.jessee@leclairryan.com](mailto:john.jessee@leclairryan.com)  
[nancy.reynolds@leclairryan.com](mailto:nancy.reynolds@leclairryan.com)  
[michael.gardner@leclairryan.com](mailto:michael.gardner@leclairryan.com)

Counsel for the defendants Image Guided Pain Management,  
John Mathis, M.D., and Robert O'Brien, M.D.

  
By Counsel

**VIRGINIA:**

**IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE**

**RANDOLPH E. SMITH**

*Plaintiff,*

**v.**

**INSIGHT HEALTH CORP., et al.**

**Defendants.**

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**Case No: CL13-57**

**ORDER**

Upon Motion, argument of counsel, and consideration of the pleadings and arguments before the Court, all of which is more particularly set forth and the Court's letter opinion of October 31, 2013 in the case of *Sharon G. Wingate, Executor of the Estate of Douglas Gray Wingate, deceased v. Insight Health Corp., John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain Management, P.C.*, the contents of which are incorporated herein as applicable, the Court makes the following rulings:

1. Defendant Insight Health Corporation's demurrers to all plaintiff's claims and causes of action except the fraud claim (Count V) are **OVERRULED**;
2. The demurrers filed by defendants John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain, P.C. (collectively the IGPM defendants) to all plaintiff's claims and causes of action except for the fraud claim (Count V) are **OVERRULED**;
3. Insight Health Corporation and the IGPM defendants demurrers to plaintiff's fraud claim (Count V) are **SUSTAINED** on the grounds of specificity set forth in the Court's letter opinion, and plaintiff is granted leave to amend his Complaint within 21 days of entry of this order; and

4. Insight Health Corporation's Motion to Amend its Responses to Request for Admissions Related to Health Care Provider Status as defined under Va. Code Section 8.01-581.1 is DENIED.

The Clerk is directed to send certified copies of this Order to all counsel of record.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

The Honorable Charles M. Dorsey

SEEN AND OBJECTED TO IN PART:

  
J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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russell@gentrylocke.com  
smith@gentrylocke.com  
gibson@gentrylocke.com  
byrd@gentrylocke.com  
sullivan@gentrylocke.com

*Counsel for Plaintiff Randolph E. Smith*

SEEN AND \_\_\_\_\_:

---

John Jessee, Esq. (VSB No. 18745)  
Nancy F. Reynolds, Esq. (VSB No. 38236)  
1800 Wells Fargo Tower  
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Roanoke, Virginia 24006  
john.jessee@leclairryan.com  
nancy.reynolds@leclairryan.com

*Counsel for Defendants Image Guided Pain Management and  
John Mathis, M.D.*

SEEN AND \_\_\_\_\_:

---

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
sbusch@mcguirewoods.com

James F. Neale, Esq.  
McGuire Woods, LLP  
Court Square Building  
310 Fourth Street, N.E.  
Suite 300  
Charlottesville, VA 22902  
jneale@mcguirewoods.com

*Counsel for Defendant Insight Health Corp.*

GENTRY LOCKE  
RAKES & MOORE<sup>LLP</sup>  
Attorneys

J. Scott Sexton  
(540) 983-9379  
sexton@gentrylocke.com

Facsimile 540-983-9400  
Post Office Box 40013  
Roanoke, Virginia 24022-0013

May 23, 2014

Brenda S. Hamilton, Clerk  
Roanoke City Circuit Court  
315 West Church Avenue  
Roanoke, Virginia 24011

Re: Rose M. White v. John M. Mathis, M.D., Robert F. O'Brien, M.D., Insight Health Corp. and Image Guided Pain Management, P.C.

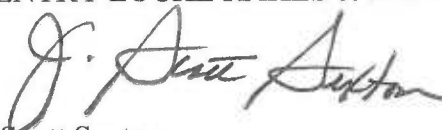
Dear Ms. Hamilton:

Enclosed is a Notice of Presentment of Order and Plaintiff's Status Report for filing in the above-styled matter.

As always, thank you for your assistance. Please do not hesitate to contact me should you have any questions.

Very truly yours,

GENTRY LOCKE RAKES & MOORE, LLP



J. Scott Sexton

JSS:lav

Enclosures

cc: Stephen D. Busch, Esq. (w/encs. – via email & U.S. Mail)  
James F., Neale, Esq. (w/encs. – via email & U.S. Mail)  
John Jessee, Esq. (w/encs. – via email & U.S. Mail)  
Nancy F. Reynolds, Esq. (w/enc. – via email & U.S. Mail)  
Michael P. Gardner, Esq. (w/encs. – via email & U.S. Mail)

VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

ROSE M. WHITE,

*Plaintiff,*

v.

INSIGHT HEALTH CORP., *et al.*,

*Defendants.*

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Case No: CL13000606-00

**NOTICE OF PRESENTMENT OF ORDER**

PLEASE TAKE NOTICE that on the 27<sup>th</sup> day of June, 2014, beginning at 2:30 p.m. before the Honorable Charles N. Dorsey, Roanoke City Circuit Court, Courthouse, 315 West Church Avenue, Roanoke, Virginia 24010, plaintiff, by counsel, will present the Order attached hereto to Judge Dorsey and request entry of same.

You must be present if you wish to be heard.

ROSE M. WHITE

  
By Counsel

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
Daniel R. Sullivan, Esq. (VSB No. 81550)  
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[sexton@gentrylocke.com](mailto:sexton@gentrylocke.com)  
[russell@gentrylocke.com](mailto:russell@gentrylocke.com)  
[smith@gentrylocke.com](mailto:smith@gentrylocke.com)

[gibson@gentrylocke.com](mailto:gibson@gentrylocke.com)  
[byrd@gentrylocke.com](mailto:byrd@gentrylocke.com)  
[sullivan@gentrylocke.com](mailto:sullivan@gentrylocke.com)

*Counsel for Rose M. White*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23 day of May, 2014, the foregoing was served via electronic and regular mail upon:

Stephen D. Busch, Esq.  
McGuire Woods, LLP  
One James Center  
901 E. Cary Street  
Richmond, VA 23219  
[sbusch@mcquirewoods.com](mailto:sbusch@mcquirewoods.com)

James F., Neale, Esq.  
McGuire Woods, LLP  
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Charlottesville, VA 22902-1288  
[jneale@mcguirewoods.com](mailto:jneale@mcguirewoods.com)

Counsel for Defendant Insight Health Corp.

John Jessee, Esq.  
Nancy F. Reynolds, Esq.  
Michael P. Gardner, Esq.  
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Drawer 1200  
Roanoke, Virginia 24006  
[john.jessee@leclairryan.com](mailto:john.jessee@leclairryan.com)  
[nancy.reynolds@leclairryan.com](mailto:nancy.reynolds@leclairryan.com)  
[michael.gardner@leclairryan.com](mailto:michael.gardner@leclairryan.com)

Counsel for the defendants Image Guided Pain Management,  
John Mathis, M.D., and Robert O'Brien, M.D.

  
By Counsel



VIRGINIA:

IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE

ROSE M. WHITE

*Plaintiff,*

v.

INSIGHT HEALTH CORP., *et al.*

*Defendants.*

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Case No: CL13-606

**ORDER**

Upon Motion, argument of counsel, and consideration of the pleadings and arguments before the Court, all of which is more particularly set forth and the Court's letter opinion of October 31, 2013 in the case of *Sharon G. Wingate, Executor of the Estate of Douglas Gray Wingate, deceased v. Insight Health Corp., John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain Management, P.C.*, the contents of which are incorporated herein as applicable, the Court makes the following rulings:

1. Defendant Insight Health Corporation's demurrers to all plaintiff's claims and causes of action except the fraud claim (Count V) are OVERRULED;
2. The demurrers filed by defendants John M. Mathis, M.D., Robert F. O'Brien, M.D., and Image Guided Pain, P.C. (collectively the IGP defendants) to all plaintiff's claims and causes of action except for the fraud claim (Count V) are OVERRULED;
3. Insight Health Corporation's and the IGPM defendants' demurrers to plaintiff's fraud claim (Count V) are SUSTAINED on the grounds of specificity set forth in the Court's letter opinion, and plaintiff is granted leave to amend her Complaint within 21 days of entry of this order.

The Clerk is directed to send certified copies of this Order to all counsel of record.




Entered this \_\_\_\_ day of \_\_\_\_\_, 2014.

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Honorable Charles M. Dorsey

SEEN AND OBJECTED TO IN PART:



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J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
Benjamin D. Byrd, Esq. (VSB No. 76560)  
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*Counsel for Plaintiff Rose M. White*

SEEN AND \_\_\_\_\_:

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*Counsel for Defendants Image Guided Pain Management,  
John Mathis, M.D. and Robert F. O'Brien, M.D.*

SEEN AND \_\_\_\_\_:

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*Counsel for Defendant Insight Health Corp.*

**VIRGINIA:**

**IN THE CIRCUIT COURT FOR THE CITY OF ROANOKE**

**RICHARD A. WHITLOW**

*Plaintiff,*

**v.**

**INSIGHT HEALTH CORP., *et al.***

**Defendants.**

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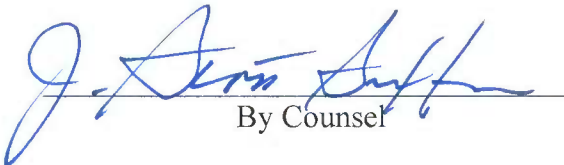
**Case No: CL13-54**

**NOTICE OF PRESENTMENT OF ORDER**

PLEASE TAKE NOTICE that on the 27<sup>th</sup> day of June, 2014, beginning at 2:30 p.m. before the Honorable Charles N. Dorsey, Roanoke City Circuit Court, Courthouse, 315 West Church Avenue, Roanoke, Virginia 24010, plaintiff, by counsel, will present the Order attached hereto to Judge Dorsey and request entry of same.

You must be present if you wish to be heard.

RICHARD A. WHITLOW

  
By Counsel

J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
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*Counsel for Richard R. Whitlow*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 23 day of May, 2014, the foregoing was served via electronic and regular mail upon:

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Counsel for the defendants Image Guided Pain Management,  
John Mathis, M.D., and Robert O'Brien, M.D.

  
By Counsel



4. Insight Health Corporation's Motion to Amend its Responses to Request for Admissions Related to Health Care Provider Status as defined under Va. Code Section 8.01-581.1 is DENIED.

The Clerk is directed to send certified copies of this Order to all counsel of record.

Entered this \_\_\_\_ day of \_\_\_\_\_, 2014.

---

The Honorable Charles M. Dorsey

SEEN AND OBJECTED TO IN PART:

  
\_\_\_\_\_  
J. Scott Sexton, Esq. (VSB No. 29284)  
Anthony M. Russell, Esq. (VSB No. 44505)  
Charles H. Smith, III, Esq. (VSB No. 32891)  
H. David Gibson, Esq. (VSB No. 40641)  
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SEEN AND \_\_\_\_\_:

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*Counsel for Defendants Image Guided Pain Management and  
John Mathis, M.D.*

SEEN AND \_\_\_\_\_:

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*Counsel for Defendant Insight Health Corp.*

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Attorneys

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May 23, 2014

Brenda S. Hamilton, Clerk  
Roanoke City Circuit Court  
315 West Church Avenue  
Roanoke, Virginia 24011

Re: Richard A. Whitlow v. Insight Health Corp., *et al.*; CL13000054-00


Dear Ms. Hamilton:

Enclosed is a Notice of Presentment of Order and Plaintiff's Status Report for filing in the above-styled matter.

As always, thank you for your assistance. Please do not hesitate to contact me should you have any questions.

Very truly yours,

GENTRY LOCKE RAKES & MOORE, LLP



J. Scott Sexton

JSS:lav

Enclosures

cc: Stephen D. Busch, Esq. (w/encs. – via email & U.S. Mail)  
James F., Neale, Esq. (w/encs. – via email & U.S. Mail)  
John Jessee, Esq. (w/encs. – via email & U.S. Mail)  
Nancy F. Reynolds, Esq. (w/enc. – via email & U.S. Mail)  
Michael P. Gardner, Esq. (w/encs. – via email & U.S. Mail)